

Matthew C. Addison (NSBN 4201)  
Sarah A. Ferguson (NSBN 14515)  
MCDONALD CARANO LLP  
100 W. Liberty Street, Tenth Floor  
Reno, NV 89501  
Telephone: (775) 788-2000  
maddison@mcdonaldcarano.com  
sferguson@mcdonaldcarano.com

Attorneys for Defendant  
Credit Acceptance Corporation

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

WILLIAM JACKSON,

Plaintiff,

vs.

EQUIFAX INFORMATION SYSTEMS, LLC,  
and CREDIT ACCEPTANCE  
CORPORATION,

Defendants.

Case No. 2:20-cv-02001-APG-VCF

**JOINT STIPULATION AND [PROPOSED]  
ORDER TO VACATE DEFAULT  
JUDGMENT AND CLERK'S ENTRY OF  
DEFAULT, AND TO EXTEND TIME FOR  
CREDIT ACCEPTANCE TO RESPOND  
TO THE COMPLAINT**

Plaintiff William Jackson ("Plaintiff") and Defendant Credit Acceptance Corporation ("Credit Acceptance," together with Plaintiff, the "Parties"), by their respective counsel, hereby stipulate and agree that the Judgment entered in favor of Plaintiff and against Credit Acceptance on March 24, 2021 (ECF No. 14) and the Clerk's Entry of Default against Credit Acceptance dated March 2, 2021 (ECF No. 11) should be vacated, and that Credit Acceptance should be given up to and including July 26, 2021, to answer or otherwise respond to Plaintiff's Complaint. In support and in further explanation for this Joint Stipulation, the Parties state as follows:

1. Plaintiff filed his Complaint against Credit Acceptance and Equifax Information Services, LLC on October 30, 2020. (ECF No. 1.)

2. On February 16, 2021, Plaintiff requested that the Clerk enter default against Credit Acceptance based on proof of service on The Corporation Company at 40600 Ann Arbor Rd. E., Suite 201, Plymouth, Michigan 48170, which Plaintiff indicated was Credit Acceptance's registered

1 agent for service of process in the State of Michigan. (ECF No. 7.)

2 3. On March 2, 2021, the Clerk entered default as to Credit Acceptance. (ECF No. 11.)

3 4. Plaintiff moved for entry of default judgment against Credit Acceptance on March  
4 23, 2021, and the Court entered judgment against Credit Acceptance on March 24, 2021. (ECF Nos.  
5 12-14.)

6 5. Since 2014, Credit Acceptance's registered agent for service of process in the State  
7 of Michigan has been CSC-Lawyers Incorporation Service, located at 2900 West Rd., Suite 500,  
8 East Lansing, Michigan 48823. Thus, Credit Acceptance did not receive service of the Complaint  
9 and Summons.

10 6. After conferral, counsel for Credit Acceptance has agreed to accept service and  
11 Plaintiff's counsel has agreed to vacate the default judgment and Clerk's entry of default as to Credit  
12 Acceptance, and to give Credit Acceptance up to and including July 26, 2021, to respond to  
13 Plaintiff's Complaint.

14 7. Good cause exists for vacating the default judgment and Clerk's entry of default  
15 because Credit Acceptance was not served with the Complaint and Summons.

16 8. Moreover, the Parties' stipulation is made in good faith and not for the purpose of  
17 delay or any other improper purpose and is the result of consultation and conferral between counsel  
18 and with agreement of the parties. Entering the stipulation will also obviate the need for motion  
19 practice regarding the default judgment and conserve the Court's (and the Parties') time and  
20 resources and is thus in the interests of justice.

21 WHEREFORE, Plaintiff and Credit Acceptance stipulate and agree, subject to the Court's  
22 approval, to the following relief: (1) that the Judgment entered in favor of Plaintiff and against Credit  
23 Acceptance on March 24, 2021 (ECF No. 14), and the Clerk's Entry of Default against Credit  
24 Acceptance dated March 2, 2021 (ECF No. 11) should be vacated; and (2) that Credit Acceptance

25 ///

26 ///

27 ///

28 ///

1 shall have up to and including July 26, 2021, to respond to the Complaint.

2 DATED: June 28, 2021.

3 Respectfully submitted,

4 COGBURN LAW OFFICES

MCDONALD CARANO LLP

6 By: /s/ Erik W. Fox (with consent)

7 Erik W. Fox (NSBN 8804)  
8 2580 St. Rose Parkway, Suite 330  
Henderson, NV 89074  
Telephone: (702) 748-7777

9 *Plaintiff William Jackson*

By: /s/ Sarah Ferguson

Matthew C. Addison (NSBN 4201)  
Sarah A. Ferguson (NSBN 14515)  
100 W. Liberty Street, Tenth Floor  
Reno, NV 89501  
Telephone: (775) 788-2000

*Defendant Credit Acceptance Corporation*

13 **ORDER**

14 IT IS SO ORDERED.

16   
UNITED STATES DISTRICT JUDGE

17 DATED: June 28, 2021

21 4849-5319-6016, v. 1